



## HOWARD COUNTY HISTORIC PRESERVATION COMMISSION

ELlicott City HISTORIC DISTRICT ■ LAWYERS HILL HISTORIC DISTRICT

3430 Court House Drive ■ Ellicott City, Maryland 21043

*Administered by the Department of Planning and Zoning*

VOICE 410-313-2350

FAX 410-313-3042

### December Minutes

Thursday, December 5, 2019; 7:00 p.m.

The December meeting of the Historic Preservation Commission was held on Thursday, December 5, 2019 in the C. Vernon Gray room located at 3430 Court House Drive, Ellicott City, MD 21043. Ms. Tennor moved to approve the November minutes. Mr. Roth seconded. The motion was unanimously approved.

Members present: Allan Shad, Chair; Eileen Tennor, Vice-Chair; Drew Roth, Secretary; Bruno Reich; Erica Zoren

Staff present: Beth Burgess, Samantha Holmes, Lou Ruzzi, Kaitlyn Clifford

#### PLANS FOR APPROVAL

##### **Consent Agenda**

1. MA-19-08c – 4341 Stonecrest Drive, Ellicott City, HO-900

##### **Regular Agenda**

2. HPC-19-54c – 8407 Main Street, Ellicott City
3. HPC-19-55c – 8307 Main Street, Ellicott City
4. HPC-19-56 – 3776 Church Road, Ellicott City
5. HPC-19-57 – 4888 Castlebridge Road, Ellicott City
6. HPC-19-58 – 8293 Main Street, Ellicott City
7. HPC-19-59 – 6060 Old Lawyers Hill Road, ElkrIDGE

## CONSENT AGENDA

### MA-19-08c – 4341 Stonecrest Drive, Ellicott City, HO-900

Final tax credit approval.

Applicant: Lisa Orenstein

**Request:** The applicant, Lisa Orenstein, requests final tax credit approval for work that was pre-approved in case MA-19-08 for 4341 Stonecrest Drive, Ellicott City.

**Background and Site Description:** This property is listed on the Historic Sites Inventory as HO-900, Stone House at Bon Air Manor. According to SDAT the house dates to 1870. The applicant was pre-approved through the Executive Secretary Pre-Approval process to repaint the house and make repairs to the chimneys.

**Scope of Work:** The applicant seeks final tax credit approval. The applicant submitted documentation that \$30,000.00 was spent on eligible, pre-approved work and seeks \$7,500.00 in final tax credits. The work complies with the pre-approved scope and the cancelled checks and other documentation equal the requested amount.

**Staff Recommendation to the HPC:** Staff recommends the HPC approve the application as submitted, for \$7,500.00 in final tax credits.

**Testimony:** Mr. Shad asked if there was anyone in the audience who had anything to add or correct to the case or anyone that wanted to testify against the case. There was no one in the audience who wanted to testify.

**Motion:** Mr. Roth moved to approve. Mr. Reich seconded. The motion was unanimously approved.

## REGULAR AGENDA

### HPC-19-54c – 8407 Main Street, Ellicott City

Final tax credit 20.113 approval.

Applicant: Donald R. Reuwer Jr.

**Request:** The applicant, Donald R. Reuwer Jr., requests final tax credit approval for the 20.113 assessment historic property tax credit for improvements and repairs made to 8407 Main Street, Ellicott City after the May 2018 flood.

**Background and Site Description:** This property is located in the Ellicott City Historic District. According to SDAT the building dates to 2001. However, this date is not when the primary structure was built, but reflects when a second floor was added and the entire exterior altered with the addition of the brick veneer, storefront windows and doors. According to Joetta Cramm's book, *Historic Ellicott City, A Walking Tour*, Martin's blacksmith shop once stood at this location, but was torn down, and in the 1930s Charley Miller of Miller Chevrolet built a gas station (Fig. 1); later Dick Wall had a garage here. The

building was reportedly later used as storage in the 1960s for the Ellicott City Fire Station across the street at 8390 Main Street.

In 1980 the three-bay single story concrete block gas station/garage existed in its most likely original condition as documented in an "Inventory of Buildings – Ellicott City" report by Kamstra, Dickerson & Associate. The 1980 report notes the distinguishing architectural details on the former gas station were "1930s Spanish tile applied gas station fake façade roof detail. Roof was plain built-up type behind parapets." The report notes the building was considered a "Non-Contributing Structure."

In July 1999 (case HDC-99-31) the current owner applied to the Commission to add the second story and renovate the entire building. The Staff report at this time recommended approval of the alterations, noting the building had "negligible historic value."

The renovated building with the second floor has been altered since it's 1999-2001 construction recently with the painting of the brick and alteration of front doors. The painting and alterations of the doors was approved through the Minor Alterations process (MA-18-13 for the doors and MA-18-20 for the painting) due to the fact that the building was not considered historic.

**Scope of Work:** The applicant submitted documentation that \$54,476.00 was spent to improve or restore the building after the May 2018 flood.

#### **HPC Review Criteria and Recommendations:**

- 1) *Section 20.113 of the County Code states that a property eligible for the Historic Tax Credit for Increase in Assessed Value, means a property that has undergone significant improvements, restoration, or rehabilitation resulting in an increase in assessed value, and is:*
  - a. *A structure that is listed on the Howard County Historic Sites Inventory and is designated by the Commission as historically significant;*
  - b. *A structure eligible for inclusion in the Howard County Historic Sites Inventory, which is added to the Inventory prior to the final approval of a tax credit under this section; or*
  - c. *An existing principal structure or historic outbuilding located within a local historic district in Howard County, which is determined by the Commission to be of historic or architectural significance.*

This building has been significantly altered beyond recognition from its original 1930s construction. Any character defining features, such as the 1930s Spanish tile veneer for the parapet roofing, and gas pumps, no longer exist. The circa 1999 alterations were allowed due to the fact that the building was determined not to be of historic or architectural significance. Subsequent alterations from 2018 were also allowed because of the non-contributing nature of the building. This building does not meet the historic building requirements in Section 20.113 of the Code to qualify for the historic tax credit. Staff has not reviewed the submitted expenses to determine if they are eligible, due to the building not being historic.

**Staff Recommendation to the HPC:** Staff recommends the HPC determine the building is not of historic or architectural significance and does not qualify for the Section 20.113 tax credit.

**Testimony:** Ms. Holmes said the case was withdrawn from the agenda by the applicant.

**Motion:** There was no motion because the application was withdrawn.

**HPC-19-55c – 8307 Main Street, Ellicott City**

Final tax credit 20.113 approval.

Applicant: Donald R. Reuwer Jr.

**Request:** The applicant, Donald R. Reuwer Jr., requests final tax credit approval for the 20.113 assessment historic property tax credit for improvements and repairs made to 8307 Main Street, Ellicott City after the May 2018 flood.

**Background and Site Description:** This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1930. The building was damaged by the May 27, 2018 flood and the assessment on the structure was lowered to \$1,000.00. Upon completion of the repairs, the building was re-assessed at \$1,308,400.00. The difference in the assessment that may be eligible for the tax credit is \$1,307,400.00. The work was not pre-approved by the Commission.

**Scope of Work:** The Applicant submitted documentation that a total of \$269,284.84 was spent improving or restoring the building.

**HPC Review Criteria and Recommendations:**

- 1) *Section 20.113 defines qualified expenses as “the amount of money paid by the owner of an eligible property to a licensed contractor for improvements, restoration, or the rehabilitation of the property or for materials used to improve, restore, or rehabilitate the property.”*

The applicant provided invoices and cancelled checks from a general contractor, rather than from the actual contractors who performed the work. This documentation differs from that typically required and reviewed. In September 2017 when the 20.113 tax credit was first awarded for this property, Staff reviewed itemized invoices and cancelled checks from those contractors who performed the work. For this application, Staff reviewed the documentation submitted from Waverly Builders, but is unable to confirm if the expenses would be considered qualified expenses. Many of the invoices include items that are not eligible, such as a markup fee, building permit fees, tools and equipment, supervision, pvc sign boards, and landscape elements such as patios (installed to resolve a zoning violation) and fences. Other ineligible expenses include invoices for work done to other buildings, which cannot be reviewed under this application for the current building. For example, there are invoices for work done to Matcha Time Café and a fire alarm system for 8318 Forrest Avenue included in the current application.

Staff requests detailed invoices from each contractor who performed the work, along with the corresponding cancelled checks in order to confirm which expenses are qualified expenses. The application requires that all invoices and checks be numbered to correspond to an itemized spreadsheet, but this was not done.

- 2) *Section 20.113(c)(1)(ii)(b) provides the following procedure: “In the case of an emergency application due to flood, fire, or natural disaster, the Commission may issue a pre-approval determination after the expenditure of qualified expenses if the Commission determines that the work requiring the Certification was done in accordance with Title 6, Subtitle 6 of this Code and is in accord with the U.S. Secretary of Interior Standards and Guidelines on The Rehabilitation of Historic Structures.”*

The Commission should determine if the work was done in response to an emergency or if pre-approval was needed prior to the expenditure of qualified expenses. If the Commission determines the work was done in response to an emergency, then the Commission should determine if the work was done in accord with the Secretary of the Interior Standards.

- 3) *Section 20.113 provides the following procedure: "A Certificate of Approval from the Commission is obtained for all work subject to Commission approval under section 16.603 of this Code, or any other provision of this Code or the Zoning Regulations that requires a Commission determination."*

The invoices from Waverly also reference several exterior alterations to doors and other items. A Certificate of Approval from the Commission is required to make these alterations. If the applicant received a Certificate of Approval to make these alterations, or a Minor Alterations determination, the approvals should be submitted with the application packet, and labeled to correspond to the particular invoice, along with a photo showing the damaged and finished item.

**Staff Recommendation to the HPC:** Staff recommends the HPC find the application incomplete, and request the applicant submit subcontractor invoices and payments, photographic documentation and provide a complete application package for work done only at 8307 Main Street.

**Testimony:** Ms. Holmes said the applicant requested the case be heard at the next Commission meeting. The applicant would like extra time to get itemized invoices from the subcontractors who performed the work.

**Motion:** There was no motion because the application rescheduled for the next meeting in February.

**HPC-19-56 – 3776 Church Road, Ellicott City**

Certificate of Approval to remove trees and construct shed.

Applicant: Emily Kowalski

**Request:** The applicant, Emily Kowalski, requests a Certificate of Approval to remove trees and construct a shed at 3776 Church Road, Ellicott City.

**Background and Site Description:** This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1980. The building is not historic; it is non-contributing to the district.

**Scope of Work:** The applicant proposes to remove three trees that are within 5 feet of the house. The trees have a diameter at breast height of approximately 12 to 18 inches. The applicant believes the trees are the species Paulownia, which are invasive. The roots are growing underneath the house and the branches are growing over to the roof. The application states the trees are "imminently capable of causing damage to the structure of the house." The applicant proposes to replant three wax myrtle trees, and plant them back a bit from where the current trees are but keep them a few feet from the property line. The application explains the wax myrtle tree is a native, moderately deer resistant evergreen frequently used as a privacy screen that will grow to approximately 12 feet in height.

The applicant also proposes to install a storage shed on the edge of the property. The shed will be 12 feet deep by 16 feet wide. The shed will have a black metal roof and LP SmartSide engineered wood lap siding with a cedar texture and stain. The windows on the shed will match those shown on the example photo. The windows will be metal. The shed will either sit on a gravel foundation or post footings, which

may be necessary due to the slope. The applicant has not yet determined what will be used to create a border around the gravel in order to contain the gravel, such as wood or paver stones.

#### **HPC Review Criteria and Recommendations:**

##### ***Chapter 9.B: Landscape and Site Elements, Trees and Other Vegetation***

- 1) *Chapter 9.B recommends against the "removal of live mature trees, unless it is necessary due to disease or to prevent damage to historic structures."*
- 2) *Chapter 9.B recommends, "plant new trees and shrubs far enough from buildings to avoid moisture problems and damage to the buildings from falling limbs and roots as the plants grow."*
- 3) *Chapter 9.B recommends, "include landscaping improvements as part of any construction projects in locations visible from a public way. In most cases, use plant varieties native to the area."*
- 4) *Chapter 9.B recommends, "retain mature trees and shrubs. Provide for their replacement when necessary."*

While the house is not historic, the trees are visibly growing close to the foundation and roofline and pose a threat for damage, especially to the foundation. While the trees do not appear to be in poor health, the proposal does comply with the Guidelines as the trees are too close to the building, and the applicant will replant three trees of a native variety farther away from the house.

##### ***Chapter 7.C: New Construction: Additions, Porches and Outbuildings; Construction of New Garages, Sheds and Other Outbuildings***

- 5) *Chapter 7.C states, "new garages and sheds should follow the historic pattern of being detached from the main building, and if practical, located in a side or rear yard."*
- 6) *Chapter 7.C recommends "if allowed by the size and shape of the property, place new outbuildings to the side or rear of the main building, separated from the main building by a substantial setback."*

The shed will be located in the side yard and complies with the Guideline recommendation.

- 7) *Chapter 7.C recommends, "design outbuildings visible from a public way to be compatible in scale, form and detailing with historic structures and outbuildings in the neighborhood."*
- 8) *Chapter 7.C recommends, "design outbuildings to be subordinate in size and detail the principal buildings in the immediate vicinity."*
- 9) *Chapter 7.C recommends, "use materials compatible with the main building on the lot or with historic outbuildings in the immediate neighborhood."*

The proposed shed design is a simple black metal gable roof and engineered wood lap sided structure. The form and materials are compatible with nearby historic buildings, although the principal building on this lot and the neighboring lot, are not historic.

Due to the topography, the yard slopes substantially toward Church Road and it seems unlikely that the shed could be constructed in a flat gravel bed without constructing retaining walls. Most likely post footings will be needed, in a which case the shed will not be flush with the ground and some type of foundation screening may be needed. If screening is needed, the applicant should submit a new application for approval.

**Staff Recommendation to the HPC:** Staff recommends the HPC approve the application as submitted.



**Testimony:** Mr. Shad asked if anyone in the audience would like to testify against or for the case, besides the applicant. There was no one in the audience that wished to testify. Mr. Shad swore in Matthew Kowalski, the property owner, and asked if Mr. Kowalski had any questions regarding the staff report. Mr. Kowalski said he had no comments on the staff report.

Ms. Tennor said the Commission is not very fond of invasive species and that she did not have a problem with the removal of the trees in questions as they are very close to the house. Mr. Kowalski said that there has been tree growth under the structure of his house and it has been causing problems for his home.

Mr. Roth said he visited the site earlier in the day, and agreed the trees to be Paulownia, an invasive species. Mr. Roth said the property is adjacent to Mt. Ida and he wondered if the trees were part of the landscaping associated with Mt Ida, or if they pre-dated the construction of the subject house. Mr. Roth explained that he looked at aerial photographs of the land prior to the construction of the Kowalski's house and the trees appear to be recent, and younger than the house. Mr. Roth found the trees did not have any historic contribution to the historic setting of Mt. Ida and said he did not have a problem with the trees being removed.

Ms. Burgess said there is an evergreen screen on the Mt. Ida property that buffers Mt. Ida's view to the Kowalski's property and the location of the proposed shed.

The Commission discussed the visibility of the shed and found it would not be highly visible from Church Road due to the placement and the topography of the property.

**Motion:** Mr. Roth moved to approve the proposal as submitted. Ms. Tennor seconded. The motion was unanimously approved.

#### **HPC-19-57 – 4888 Castle Bridge Road, Ellicott City**

Tax credit pre-approval for repairs.

Applicant: Carter Adkinson

**Request:** The applicant, Carter Adkinson, requests tax credit pre-approval under 20.112 and 20.113 of the County Code to make repairs to a historic barn at 4888 Castle Bridge Road, Ellicott City.

**Background and Site Description:** This property is not located in a historic district. The property was once associated with Doughoregan Manor (HO-22) and the barn can be found on map included in the National Historic Landmark designation showing an expanded boundary for that designation which encompasses the barn. This property is not individually listed on the Inventory, but will be added to avoid confusion since the only reference to this barn is a small outline on a map.

The applicant submitted a detailed assessment report prepared by Fitzgerald's Heavy Timber Construction outlining the structural problems with the historic bank barn. The report explains that frost heave has severely damaged the bank wall in the barn, noting that one area has collapsed and another area was replaced with a concrete block wall which is currently bulging and cracked. The report also notes the deteriorating condition of various tie beams where wood is rotting or where connections between posts and beams are separating. The report shows where braces are missing from beams and posts and where siding is rotting.

**Scope of Work:** The report makes the following recommendations:

“Replacing the north wall of the foundation, and correcting surface drainage on the north and east sides of the barn are essential to saving the barn.

Rebuilding the foundation should include: rigging to support the floor and north wall, excavation along the entire length of the wall, removing the old wall, placing a reinforced concrete footing, building a reinforced concrete block wall, applying a waterproof coating and drain board to the exterior of the new wall, installing a perforated drain pipe at the bottom of the wall, digging a trench to extend the foundation drain pipe to daylight, grading along the wall to ensure positive drainage away from the building, and installing underground storm drain pipes to carry water from the downspouts away from the building. As an alternative to using reinforced concrete block for the wall a stone wall could be built with a reinforced concrete wall to back it up.

The area of the west and north sides of the barn need to be graded to direct surface water away from the barn. Removing the small building attached to the northwest corner of the barn will facilitate the grading operation. Swales should be made to drain past the northeast corner and the southwest corner of the barn.

Timber frame repairs need to be made where the tie beam ends have rotted off; also where the braces are missing. In conjunction with rebuilding the foundation, the barn floor should be pulled to make the long sides straight, and thus correct the frost heave of the barn. Some amount of repair should be anticipated for the sills and posts on the north side of the barn, also for the floor framing at the entrance to the upper area. Further inspection of the timber frame should be made in areas where there are signs of rot on the surface of the timbers, and also where the siding is deteriorated.”

The applicant proposes to make the following repairs:

- 1) Repair and/or reconstruct stone foundation walls.
- 2) Repair/replace/restore structural timber framing.
- 3) Repair/replace/restore wood floor assembly.
- 4) Regrade and direct rain water.
- 5) Add new half round gutters and round downspouts.
- 6) Repair/replace damaged or deteriorated wood siding using new wood siding.
- 7) Test exterior paint for lead; prepare for new painting accordingly and repaint siding to be Benjamin Moore Platinum Gray.

#### **HPC Review Criteria and Recommendations:**

*Section 20.112 of the County Code state that eligible work includes:*

- 1) *The repair or replacement of exterior features of the structure;*
- 2) *Work that is necessary to maintain the physical integrity of the structure with regard to safety, durability, or weatherproofing;*
- 3) *Maintenance of the exterior of the structure, including routine maintenance as defined in section 16.601 of the County Code.*

The repairs comply with the code requirements and are either exterior repairs such as painting, or interior repairs required for the structural integrity of the barn.

**Staff Recommendation to the HPC:** Staff recommends the HPC pre-approve 20.112 and 20.113 tax credits for the scope of work as submitted and as recommended in the contractor’s report, contingent



upon using the alternative scenario for the rebuilding of the wall using a stone wall with a reinforced concrete wall to back it up.

**Testimony:** Mr. Shad asked if anyone in the audience would like to testify against the case. There was no one in the audience that wished to testify. Mr. Shad swore in Carter Adkinson and asked if Mr. Adkinson had any information to add. Mr. Adkinson said he did not have any information to add, but wanted to talk about the alternative scenario for the foundation wall. Mr. Reich asked if the foundation wall was part block and part stone currently. Mr. Adkinson said there has been significant heaving to the historic bank barn. He explained the foundation had been repaired once with cinderblock, but now the entire foundation needs to be repaired. Mr. Adkinson had four contractors inspect the wall and hired a structural engineer and architect to ensure the work is done appropriately. Mr. Adkinson said the structural engineer is concerned about calculating the load that a rebuilt stone wall could handle for a wall of that size and the longevity of that wall. As a result they decided to move forward with the concrete wall.

Regarding the suggestion to put up a stone veneer on the concrete wall, Mr. Adkinson said it would be difficult given that the original stone from the barn is too big and would need to be sliced up. Mr. Adkinson would rather leave the stone intact and repurpose the stone on another structure on the property. In order to add a stone veneer, new stone would need to be purchased and that would look significantly different than the barn looks currently. Mr. Adkinson is also concerned about the cost of the stone veneer would add to the already costly foundation replacement.

Mr. Reich said he does not understand why the wall could not be rebuilt since the wall previously was structurally sound as it stood for 100 years. Mr. Reich asked what the cost difference was to use stone as the foundation. Mr. Adkinson said the cost to fix the wall with concrete would be \$75,000 and the cost to rebuild the wall as a stone structure would be over \$120,000.

Ms. Tennor asked if he had a quote to face the concrete wall with stone. Mr. Adkinson said he did not have pricing on the option to use a stone veneer because he was told the stone would not match and he was not interested in proceeding that way. Ms. Tennor asked how the new concrete wall would be finished. Mr. Adkinson said the concrete would be a poured-in-place wall and explained that temporary supports would be installed, drainage dug on the front and sides of the barn, the concrete would be poured in place and the wall reinforced, then the supports would be removed and any remaining structural issues repaired.

Mr. Reich suggested making the concrete footings wide enough to allow for a future stone veneer facing, if feasible. Mr. Tennor liked the suggestion. Mr. Adkinson said he would be willing to commit to a wider footing than the current proposed base to accommodate a future stone veneer. Mr. Reich suggested saving the existing stone.

Mr. Roth asked for an estimate on the age of the barn. Mr. Adkinson said it dated to around 1894. Mr. Reich said that the buried side of the barn should have a smooth face which will make it easier to waterproof.

Mr. Roth said the request for a concrete wall was a reasonable compromise given the cost of the work.

**Motion:** Mr. Roth moved to approve the application as submitted and that the footer could be made wider to accommodate a stone veneer. Ms. Tennor seconded. The motion was unanimously approved.

**HPC-19-58 – 8293 Main Street, Ellicott City**

Certificate of Approval to install sign.

Applicant: Temrah Okonski

**Request:** The applicant, Temrah Okonski, request a Certificate of Approval to install at a sign at 8293 Main Street, Ellicott City.

**Background and Site Description:** This building is located in the Ellicott City Historic District. According to SDAT the building dates to 1890.

The existing Sunrise Rotary Club sign was approved in June 1994 to be 18x24 inches. On June 6, 2019 the applicant received approval in case HPC-19-29 to install a three-part wood sign for the following:

The applicant will re-use the existing bracket on the building. The top part of the sign showing the rotary logo, the second part showing limited text saying Sunrise Rotary Club, etc., and the third tier would say Ellicott City Rotary Club, with either their selected dates or website reference. The sign will be double sided and made out of wood. The size limitation will be no greater than 4 square feet, 18 inches of width to match the existing sign, to fit on the existing bracket.

**Scope of Work:** The applicant proposes to install a sign with a design different from that already approved by the Commission. The application states that the sign material noted on the rendering is PVC, but that wood will be used.

The proposed sign will be 18 inches wide by 31 inches high, for a total of 3.875 square feet. All sign content will be on one sign board that is scalloped at the top and bottom, in a design that matches the existing sign for Sunrise Rotary Club, but it will be longer to accommodate the addition of the Ellicott City Rotary Club information. The sign will contain information and graphics on eleven lines. The sign will read:

(Sunrise Rotary logo)  
Sunrise  
Rotary Club  
1<sup>st</sup> and 3<sup>rd</sup> Thursday  
7:15 A.M.  
(Rotary International logo)  
The  
Ellicott City  
Rotary Club  
1<sup>st</sup> and 3<sup>rd</sup> Thursday  
Noon

**HPC Review Criteria and Recommendations:**

***Chapter 11.A: Signs, General Guidelines***

- 1) Chapter 11.A recommends, "Use simple legible words and graphics."
- 2) Chapter 11.A recommends, "Keep letters to a minimum and the message brief and to the point. In many cases, symbols or illustrations that communicate the nature of the business can be used."
- 3) Chapter 11.A recommends, "Use a minimum number of colors, generally no more than three."
- 4) Chapter 11.A recommends, "Use historically appropriate materials such as wood or iron for signs and supporting hardware."

The sign will use legible words and simple graphics. While the information on the sign is not complicated, the 9 lines of text is difficult to read. The sign does not keep letters to a minimum as recommended. There is no clear hierarchy to the current sign, which existed in the approved three-part sign with the Rotary International logo at the top.

The sign will only utilize three colors, which complies with the Guidelines. The sign will be wood, although the rendering incorrectly states PVC. The use of a wood sign complies with the Guidelines.

**Chapter 11.B: Signs, Commercial Buildings**

- 5) *Chapter 11.B recommends, "Limit the sign area to be in scale with the building. Projecting or hanging signs of four to six square feet are appropriate for many of Ellicott City's small, attached commercial buildings."*

The sign will be 3.875 square feet, which complies with the Guideline recommendations.

**Staff Recommendation to the HPC:** While the proposed sign generally complies with the Guidelines, the original approval has a better visual organization and hierarchy and is more appropriate for the building. Staff recommends the HPC determine if this sign complies with the Guidelines and approve accordingly.

**Testimony:** Mr. Reich recused himself from this case. Mr. Shad asked if anyone in the audience opposed the application. No one in the audience opposed the application. Mr. Shad swore in Temrah Okonski and asked if Ms. Okonski had any comments. Ms. Okonski explained the sign in Figure 8 was created by the sign designer. Mr. Shad asked if the proposed sign was already installed. Ms. Burgess clarified the sign that currently is up is the original sign and Ms. Okonski is here to have the original sign updated to include information for two rotary clubs.

Ms. Tennor said the proposed sign (Figure 8) has less flexibility, in terms of how often a branch of the rotary evolves. Ms. Tennor explained that in cases of multiple tenants or groups on a sign, the Commission tries to get an organizational system established. This is why the Commission approved the three panel sign (Figure 7) at the June meeting. Ms. Tennor said in the case of Figure 8 (a singular sign with two rotary clubs advertised), the hierarchy is confusing as one of the rotary clubs has its own logo in addition to the international rotary club logo. Ms. Tennor said the Commission tries to limit the number of logos to one per panel.

Ms. Holmes said the Commission's sign code requirements follow DILP's sign code requiring 10 feet of clearance above the sidewalk and reminded the applicant if the sign were to be elongated to make sure the sign complied with sign code regulations.

Ms. Zoren said to help with the hierarchy on the sign the sun logo should be smaller. Ms. Tennor said the rotary logo should be at the top of the sign and then information for the two clubs should be below. Ms. Okonski said she understood the Commission's concerns and agreed. Ms. Okonski asked if she could get approval for both signs, so she could take the signs back to the club members to be approved. Ms. Tennor said Ms. Okonski could withdraw the application and come back with a resolution from the group members to present to the Commission. Ms. Holmes reminded the Commission that the Figure 7 sign was approved in June and the approval is valid for 18 months.

Ms. Zoren suggested removing "The" from "The Ellicott City Rotary Club" in the proposed sign, since in the approved sign (Figure 7) the club is referred to only as "Ellicott City Rotary Club". Ms. Zoren

explained that by removing "The" it would remove an entire line that would allow for the logo to be enlarged and the sign to have some hierarchy.

Ms. Okonski said she could make those changes and noted her preference to the decorative shapes of the proposed sign over the square look of the approved sign panels.

The Commission and staff discussed the next steps, such as submitting a sign to staff to see if a new sign can be approved through Minor Alterations.

Ms. Holmes asked if Ms. Okonski would like to withdraw her application and receive advisory comments from the Commission. Ms. Holmes asked for clarification from the Commission on what the three panels would look like and if each would have a decorative shape. Mr. Roth suggested taking Figure 8 sign and dividing the sign horizontally into three panels. Ms. Holmes explained that suggestion deviates from the advice given in June.

Ms. Tennor said Rotary should be the top panel with the two clubs listed underneath. Ms. Zoren said that only the top panel should be ornate and the second and third panels should be plain with a little bit of detail, but no curly Q shapes (ornate scrolling at the top of the sign) to the panels. Ms. Okonski said she did not want to ask the Sunrise Club to remove the sun from the sign. In reference to Figure 7, Ms. Holmes said the Sunrise club could use the the sun logo, if it was substantially smaller, on a 3<sup>rd</sup> line, which would balance out with the number of lines in the Ellicott City Rotary Club panel.

Ms. Okonski said she could submit a couple of options. Ms. Holmes clarified that Ms. Okonski could submit a few options for Staff to provide feedback, but only one application could be submitted for Minor Alterations consideration. Ms. Tennor was ok with staff reviewing one option.

Ms. Okonski said she wanted the bottom of the sign (Ellicott City Rotary) to have flare and everything else would be text. Ms. Holmes asked for confirmation that "flare" was in reference to the curvature of the panel. Ms. Okonski said that was correct, to match the sign silhouette in Figure 8. Ms. Holmes said that having a curved bottom panel (similar to the bottom of the sign in Figure 8) conflicted with what the Commission just discussed. Ms. Holmes said that same design was discussed in June and not approved. Ms. Okonski asked if the bottom panel had to be straight. Ms. Holmes said it sounded like the Commission said it had to be straight.

Ms. Burgess said there could be various options such as rounded or beveled corners or borders within the sign. The Commission discussed various options, refencing their original decision and conversation in June. Ms. Zoren would not want to see the proposed sign in Figure 8 cut into three panels.

Ms. Holmes asked if the applicant wanted to withdraw the application or if she wanted an approval tonight. There was no concise answer.

Ms. Zoren said if the one piece sign was to remain, the rotary wheel should be made bigger, the sun should be made smaller and ideally "The" should be eliminated from "The Ellicott City Rotary Club". Ms. Tennor said the Commission needed to see another drawing of Figure 8 with the changes suggested by the Commission.

Ms. Holmes asked if the Commission wanted the sign to return in another meeting or the have the updated drawing submitted through Minor Alteration. Ms. Tennor said Minor Alterations was fine, because they could object and the application would come to the upcoming meeting. Ms. Holmes asked Ms. Okonski if she would like to withdraw her application or if she wanted a decision on the application

that night. Ms. Okonski asked if she could submit two signs for Minor Alterations. The Commission and staff said only one option could be submitted, but staff could review multiple options and provide feedback prior to submitting a new application. Ms. Okonski asked which version, Figure 7 or 8, should she submit whether it's a full board or three panels. Ms. Tennor said that Ms. Okonski could submit a sign that looks like the three panel sign in Figure 7, but with two rectangular panels as it is drawn, and a decorative top panel with the Rotary Club and logo. The other option for a single panel involves a reorganization of the graphics on the panel: greatly reduce the sun logo above Sunrise Rotary Club, enlarge the rotary international wheel logo and switch with the sun logo so it becomes the dominant graphic, eliminate the word "the" before Ellicott City Rotary Club.

Ms. Okonski said she was confused about minor alterations and getting help before going back to the Board. Ms. Holmes explained that Ms. Onkonksi can submit a few options to staff for review and feedback, but only one option can be submitted for approval. Once Ms. Onkonksi has picked the options she wants to use, she will submit an application to staff for review. Staff will review the application and if it complies with the Code, Design Guidelines and the current discussion, then staff can post the application for a Minor Alteration determination. Ms. Holmes said that if Ms. Okonski cannot decide which sign to use, then she can submit multiple options, but it will have to go before the Commission in a meeting. The Commission and the applicant discussed the approval processes.

Ms. Holmes asked if Ms. Okonski would like to withdraw her application. Ms. Okonski confirmed she would like to withdraw her application.

**Motion:** There application was withdrawn, so there was no motion.

#### **HPC-19-59 – 6060 Old Lawyers Hill Road, ElkrIDGE, HO-447**

Certificate of Approval to install pool.

Applicant: Finn Ramsland

**Request:** The applicant, Finn Ramsland, requests a Certificate of Approval to install a pool at 6060 Old Lawyers Hill Road, ElkrIDGE.

**Background and Site Description:** This property is located in the Lawyers Hill Historic District and is also listed on the Historic Sites Inventory as HO-447, Maycroft. The Inventory notes the house "was built in 1871 by Charles G. Mayer, husband of Susan Dobbin Mayer who was the daughter of George Washington Dobbin, prominent lawyer, judge and educator who built his home on the hill, later known as Lawyers Hill in his honor." The house was built in the Queen Anne architectural style.

**Scope of Work:** The applicant proposes to install a residential, in-ground swimming pool on the north-west side of the house, opposite Old Lawyers Hill Road. The pool will be 55 feet long by 27 feet wide. The pool will be surrounded by a concrete deck and a 4-foot-tall black aluminum fence.

The pool and corresponding deck will be constructed out of the following:

- 1) Pool coping – Gray/brown concrete brick (as shown in application)
- 2) Waterline tile (visible on vertical wall of pool from the edge of the water to the coping) – Blue/grey tile (as shown in application)
- 3) Pool lining – Black, gray, tan pebble finished concrete/plaster
- 4) Pool accessories – There will be stepping stones leading to a boulder feature and slide next to the pool. There will be a raised bed to support the boulder and slide. The overall size, including height, of the raised bed is unknown



- 5) Deck surrounding pool – The patio area will be approximately 1200 square feet in size and will be an untinted, brushed concrete.
- 6) Fencing surrounding pool – Black/dark gray, aluminum four-foot-tall fence in the style Hancock or Antietam (from Long Fence). Approximately 175 to 200 feet of fencing.
- 7) Mechanical equipment – northwest corner of the yard, to be screened by vegetation.

The applicant explained that the pool will be located between 23 and 30 feet from the driveway. The final offset is dependent on Health Department guidance, based on the location of the waste line to the septic tank.

#### **HPC Review Criteria and Recommendations:**

##### ***Chapter 4: The Secretary of the Interior's Standards for the Rehabilitation of Historic Properties***

- 1) *Standard 2 states, "The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property shall be avoided."*
- 2) *Standard 9 states, "New additions, exterior alterations, or related new construction shall not destroy historic materials, features and spatial relationships that characterize the property. The new work shall be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment."*

The pool will be located on the northwest side of the house, at the rear of the house. The property has a large frontage along Lawyers Hill Road, but the pool will not be visible from the road. While the proposed landscape setting for the pool adjacent to the house impacts the structure, the spatial relationship that characterizes the property is the large frontage visible from Lawyers Hill Road, which will remain an open naturalized space. The historic setting will remain intact.

##### ***Chapter 7: New Construction: Additions, Porches, Garages and Outbuildings***

- 3) *Chapter 7 recommends, "attach additions to the side or rear of a historic building. Design and place additions to avoid damaging or obscuring key architectural features of the historic building."*

The pool will not be visible from the public right-of-way. The pool will be located on the northwest corner of the house, which is the rear of the house. The addition of the pool will not damage or obscure any key architectural features of the house.

##### ***Chapter 9.A: Landscape and Site Elements, Grading and Topography***

- 4) *Minimize clearing and grading by designing and siting new structures and other site improvements to blend with the natural contours of the site.*

There are many grade changes on the property, but the pool is proposed to be located on one of the flatter areas of the site. There will be a raised bed to support the boulder and slide. The overall size, including height, of the raised bed is unknown. More information on this item is needed to understand how it will affect the existing topography.

##### ***Chapter 9.B: Landscape and Site Elements, Trees and Other Vegetation***

- 5) *Minimize removal of mature trees and shrubs and provide for their replacement with similar species whenever possible.*



- 6) *Maintain and install informal landscaping using a variety of trees, shrubs and flowers, particularly native species. Plant new trees and shrubs far enough from buildings to avoid moisture problems and damage to the buildings from falling limbs and roots as the plants grow.*
- 7) *Maintain the open feel of the District by minimizing property lines demarcations.*

The construction of a fence is required by code to have installed around the pool. The code requirement has specifications for the type of fencing as well, ensuring that children cannot fit their head through or easily climb over (for example, horizontal rails must be on the inside of the fence, rather than the outside where they can be used as footholds). The fencing will not be used as a property line demarcation, as it will only be located around the pool area.

#### **Chapter 9.C: Landscape and Site Elements, Fences**

- 8) *Chapter 9.C explains, "property lines in Lawyers Hill are only occasionally defined by fencing. Fences are generally low and open, and made of painted wood boards or unpainted split rails. The open feel of the District will be maintained by limiting the use of fencing, and by use low, open fencing when fencing is necessary."*
- 9) *Chapter 9.C recommends, "when installing new fencing, use fencing that is low, open and made of wood. If necessary, this type of fencing can have an inconspicuous, inner wire fencing."*
- 10) *Chapter 9.C recommends, "plant vines or shrubs in front of solid fencing to reduce its visual impact from public roads."*
- 11) *Chapter 9.C recommends against, "installing stockade, chain link, or wrought iron fencing in a location visible from a public road or a neighboring property."*

While the guidelines do not recommend use of a wrought iron fence (which this would emulate in style, but is aluminum in material rather than iron), the fence will not be highly visible from the road or neighboring property. The fence will be most visible from the driveway. The fence will be 4 feet high, which is the shortest the fence can be in order to comply with the code requirements for fencing around a pool.

#### **Chapter 9.E: Landscape and Site Elements, Driveways, Walkways and Patios**

- 12) *Chapter 9.E recommends, "construct new walkways and patios of brick, flagstone or concrete pavers designed to look like flagstone. New walkways may also be constructed of bark chips or gravel."*
- 13) *Chapter 9.E recommends against, "constructing new walkways and patios of poured concrete slabs within view of a public road."*

The patio does not comply with the Guidelines recommending the use of brick, flagstone or concrete pavers design to look like flagstone. The patio will be constructed of concrete with a broom swept finish. The concrete will not be tinted.

The concrete patio will not be highly visible, if visible at all, from Old Lawyers Hill Road due to the change in topography, and location on the rear of the house.

#### **Chapter 9.F: Landscape and Site Elements, Driveways, Outdoor Lighting**

- 14) *Chapter 6.F recommends, "Design and locate lighting fixtures to be visually unobtrusive. Use dark metal of a similar unobtrusive material for freestanding lights."*
- 15) *Chapter 6.F recommends, "To the extent possible, direct or shield lighting so that it illuminates only the area intended and does not spill onto neighboring properties. Design lighting to provide a reasonable level of brightness of the intended purpose."*

New exterior lighting will only be installed within the pool; there will not be any new lighting around the site. The lighting within the pool complies with the Guideline recommendations.

**Staff Recommendation to the HPC:** Staff recommends the HPC approve the installation of the pool per Items 1-4 and 7 in the scope of work. Staff recommends the HPC determine if Item 5, untinted brushed concrete, is appropriate pool decking. Staff recommends the HPC determine if Item 6, black aluminum fencing, is appropriate for the pool fencing.

**Testimony:** Mr. Shad asked if anyone in the audience wanted to comment on the case. No one in the audience wanted to comment. Mr. Shad swore in Finn Ramsland and asked if Mr. Ramsland had any comments on the staff report. Mr. Ramsland said he had no comments.

Mr. Roth said the Commission previously approved brushed plain concrete pool decking and aluminum black fencing for a pool fence when not visible from the road in Lawyers Hill.

Ms. Tennor asked Mr. Ramsland why he was using an un-tinted brushed concrete. Mr. Ramsland explained that they thought the contrast between the lighter concrete and brown coping looked nicer than a blended color all the way through. Ms. Tennor asked if Mr. Ramsland had a preference on the pool fencing. Mr. Ramsland said he knew the Lawyers Hill Guidelines do not recommend using aluminum fencing, but he felt the black fencing would be less visible than bright white fencing and wants the fencing to be minimally visible. He submitted two options because they are flexible with the choice. Mr. Ramsland said the minimum requirement for a pool fence is four feet in height and they will not go higher than that.

Ms. Tennor asked the applicant if he had more information on the planting that will screen the pool. Mr. Ramsland said not yet, but he intends to use local plants and use bigger vegetation anywhere that the pool would be visible from the street and to help to avoid erosion. Mr. Ramsland wants to use plantings that are consistent with vegetation on the property and that will emulate the historic house.

Ms. Zoren expressed concern with the pool concrete being so extensive in size and brightness. She said the concrete will go up to the house, but the Guidelines recommend minimizing poured concrete. Mr. Ramsland explained there is already an existing brick patio off the back of the house, that will be kept intact, so the concrete will not connect to the house directly due to the buffer from the brick patio.

Ms. Tennor asked Mr. Ramsland if the concrete was fairly representative as shown in the site plan in the application. Mr. Ramsland said that it was except for the extension off to the side by the driveway, which will come in closer to the pool. Mr. Roth said the concrete does not go all the way around the pool. Ms. Zoren said that concrete is okay around the pool deck, but the Commission needs to differentiate the pool deck from the patio so people don't start using concrete for patios. Mr. Roth said concrete should be limited to a well bounded area adjacent to the pool. Ms. Zoren suggested Mr. Ramsland extend the brick patio and concentrate the concrete deck around the pool only, farther away from the house. Mr. Ramsland asked if there was a specific distance from the house the concrete should be placed. Mr. Roth said that non-concrete materials should be at least half the distance between the house and the pool. Looking at the site plan, Ms. Tennor said there was a distance of 30 feet 7 inches from the rear wall of the house to the curved part of the pool and suggested that there should be 15 feet of brick in that distance and then 15 feet of concrete. The Commission explained they did not want to establish a precedent of concrete patios being installed adjacent to the houses in the Historic District. Mr. Roth said the notion of the halfway thought is that it is visually clear that the concrete is associated with the boundary of the pool, but the patio associated with the house is constructed in the brick

material. Ms. Zoren said 15 feet of concrete around the pool will allow circulation around the pool and for patio furniture to be near the pool. Mr. Ramsland said 15 feet of concrete should not be an issue.

Ms. Tennor said the application mentioned a slide. Mr. Ramsland said that he would like to add a boulder that is 4 to 5 feet high, and a 20 to 25 foot long slide. There are two options to support the slide, both require footers and raised beams that the slide is supported on. Those can be exposed openly, which Mr. Ramsland does not prefer, or there could be a raised berm with a column to support the slide. He is proposing a raised berm, which would be roughly 6 to 6.5 feet high.

Mr. Ramsland explained he is trying to position the slide to make it less visible from the road. Mr. Ramsland said he would like to flip the current pool orientation 180 degrees, which would mirror the design, and put the slide directly behind the pool (against the trees), so that it is then shielded by the house, rather than building the slide off to one side. Mr. Ramsland said the pool orientation would be a complete mirror, so the size of the pool would not change. Flipping the layout would also allow him to avoid building the patio over the septic line. Mr. Ramsland said the entrance to the pool would be from the driveway. Ms. Tennor said the slide would be 6 feet high and Mr. Ramsland confirmed that is correct. Mr. Shad asked if installing the slide would affect any of the trees on the property. Mr. Ramsland said that there is enough distance from the pool as to not affect the trees that are currently on the property.

Ms. Tennor wondered if the Commission has enough information to approve the application, as so many parts of the application are still in flux. Mr. Ramsland explained the main thing he would like to have approved this evening is the ability to dig the pool based on the design. He understands there may be some outstanding issues that need to be addressed. Mr. Ramsland said he would like for one of the two proposed designs to be approved, and he proposed the second option because he finds it would make the slide and pool less visible. Mr. Roth said the Commission could approve the overall pool design with the axis flipped perpendicular to the house. The Commission discussed a motion for the brick patio and concrete deck. Ms. Tennor said the applicant could come back with another submittal for the actual paving, patio and the plants. Mr. Roth said the Commission could approve the location of the pool, so Mr. Ramsland could start digging the pool.

Mr. Reich asked if Mr. Ramsland had to get a permit to get the pool put in. Mr. Ramsland explained the various permits needed. Mr. Reich said in order to get those permits, DILP would need a detailed site plan showing topography, location, dimensions, limit of disturbance, information on all materials, coping and property lines, which is what the Commission should have in order to make a determination. Mr. Reich felt that the Commission only received a conceptual plan. Mr. Reich said he would be willing to leave approval up to staff to review and approve once Mr. Ramsland submits that information based on what the Commission has seen tonight, but the Commission needs detailed site plan on record.

Mr. Ramsland said he will submit the final pool builder documents to get the review from staff. Mr. Reich said the Commission will not have a problem with any of the details presented tonight as long as the pool is behind the house, everything stays out of view from the street and Mr. Ramsland puts in the additional brick patio.

The Commission and Mr. Ramsland discussed the timeline for the construction of the pool. Mr. Ramsland said the pool must be dug by January 1<sup>st</sup>. Mr. Roth asked what the targeted completion date was. Mr. Ramsland said structural elements and gunite need to be done first. The patio, plaster and coping will not be completed until early spring.



Ms. Burgess said that page 13 of the agenda detailed the seven items the applicant was seeking approval for and asked the Commission to review the items to see which items could be approved now, and what would need to be tabled. Ms. Holmes said that DILP has signed off on a residential pool or spa permit for the property, but she has held the permit in Zoning. Ms. Holmes read Items 1 through 7 from the proposed work for the Commission to discuss:

- Item 1, pool coping – The Commission was fine with this item.
- Item 2, waterline tile - The Commission was fine with this item.
- Item 3, pool lining – The Commission was fine with this item.
- Item 4, pool accessories (stepping stones, boulder feature, slide with a raised bed to support the boulder and slide) - More information is needed on this item and should be shown on a scaled site plan.
- Item 5, deck surrounding pool – This should be shown on the site plan with a reduced concrete deck, with the brick patio addressed.
- Item 6, four foot tall black aluminum fencing surrounding pool in the style Hancock or Antietam – The Commission was fine with this item and with either style option.
- Item 7, mechanical equipment – The Commission was fine with this item.

Ms. Burgess said it was the landscape and the hardscape that needed more information and asked if the Commission would consider it for minor alterations. Mr. Roth said they could approve the sketch of the site flipped 180 degrees with the final design and site plan to be approved by staff, based on their comments. Mr. Roth said the Commission should get another submission for February showing the specific fence location, the boulder feature and the water slide.

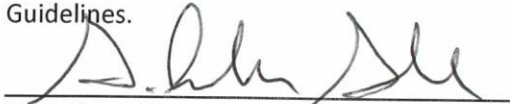
**Motion:** Mr. Roth moved to approve Item 1, the pool coping; Item 2, the waterline tile; Item 3, the pool lining and Item 7, the mechanical equipment as submitted, with the sketch of the site plan flipped 180 degrees off an axis perpendicular to the house, from what was submitted, with the final site plan drawing to be approved by staff. The applicant will return with Item 4 (pool accessories – boulder, slide), Item 5 (concrete deck and brick patio), and Item 6 (fencing) in February. Advisory Comments are with respect to the aluminum fence being approvable if it is not visible, plain untinted brushed concrete is approved as long as it does not dominate and will be approved on the final site plan.

Ms. Zoren seconded. The motion was unanimously approved.

Mr. Roth asked if Mr. Ramsland would like to withdraw Items 4, 5, and 6. Mr. Ramsland withdrew Items 4 (pool accessories – boulder, slide), 5 (concrete deck and brick patio), and 6 (fencing) from his application for approval.


Mr. Roth moved to adjourn the meeting at 8:46 pm. Mr. Reich seconded. The motion was unanimously approved.

\*Chapter and page references are from the Ellicott City or Lawyers Hill Historic District Design Guidelines.

  
Allan Shad, Chair

  
Beth Burgess, Executive Secretary

  
Samantha Holmes, Preservation Planner

  
Kaitlyn Clifford, Recording Secretary